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Review of the achievements in the implementation and results of the World Declaration on the Survival, Protection and Development of Children and Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s

Renewal of commitment and future action for children in the next decade

Letter dated 28 March 2002 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

With a view to further promoting the rights of the child and to strengthening actions towards the eradication of commercial sexual exploitation of children, the Government of Japan hosted the Second World Congress against Commercial Sexual Exploitation of Children in Yokohama from 17 to 20 December 2001, in cooperation with the United Nations Children's Fund, Ecpat International and the NGO Group for the Convention on the Rights of the Child.

In this regard, I have the honour to bring to your attention the Declaration entitled "Yokohama Global Commitment 2001" adopted at the closing session of the Congress unanimously by the participants (see annex).

I should be grateful if you would have the text of the Declaration and its annex circulated as a document of the twenty-seventh special session of the General Assembly, under items 8 and 9 of the provisional agenda.

(*Signed*) Yukio Satoh
Ambassador Extraordinary and Plenipotentiary
Permanent Representative

* A/S-27/1.

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Annex to the letter dated 28 March 2002 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

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THE YOKOHAMA GLOBAL COMMITMENT 2001

I. Our Follow-Up:

1. We, representatives from governments, intergovernmental organizations, non-governmental organizations, the private sector, and members of civil society from around the world, have gathered together in Yokohama, Japan, at the Second World Congress against Commercial Sexual Exploitation of Children (17-20 December 2001) ("The Yokohama Congress"). Five years after the First World Congress against Commercial Sexual Exploitation of Children held in Stockholm, Sweden in 1996, we have reviewed developments as a follow-up process to strengthen our commitment to protect children from sexual exploitation and sexual abuse.

2. We reaffirm, as our primary considerations, the protection and promotion of the interests and rights of the child to be protected from all forms of sexual exploitation, and we welcome the following developments, visible in a number of countries, since the First World Congress:

- **the greater emphasis on the rights of the child and the call for more effective implementation of the Convention on the Rights of the Child by State Parties to create an environment where children are able to enjoy their rights ;**
- **the increasing mobilization of governments, local authorities and the non-governmental sector, as well as the international community, to promote and protect the rights of the child and to empower children and their families to safeguard their future;**
- **the adoption of multi-faceted, inter-disciplinary measures , including policies, laws, programmes, mechanisms , resources and dissemination of the rights of the child, to ensure that children are able to grow up in safety and dignity;**
- **enhanced actions against child prostitution, child pornography and trafficking of children for sexual purposes, including national and international agendas, strategies or plans of action to protect children from sexual exploitation , and new laws to criminalize this phenomenon, including provisions with extra-territorial effect;**
- **the promotion of more effective implementation/enforcement of policies, laws and gender-sensitive programmes to prevent and address the phenomenon of sexual exploitation of children, including information campaigns to raise awareness, better educational access for children, social support measures for families and children to counter poverty, action against criminality and the demand for sexual exploitation of children, and prosecution of those who exploit children;**
- **the provision of child-sensitive facilities such as telephone helplines, shelters, and judicial and administrative procedures to prevent violations of the rights of the child and to provide effective remedies;**

- the comprehensive, systematic and sustained involvement of the private sector, such as workers' and employers' organizations, members of the travel and tourism industry, the communications industry, including Internet service providers, and other businesses, in enhancing child protection, including their adoption and implementation of corporate policies and Codes of Conduct to protect children from sexual exploitation;
- greater participation by children and young people in promoting and protecting their rights, notably through young people's networks and forums and the involvement of young people as peer communicators and counselors;
- the development of international and regional standards to protect children from sexual exploitation through new instruments, including the following: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (2000); and the Convention on Cybercrime (2001), while noting relevant provisions of the Rome Statute of the International Criminal Court (1998);
- the entry into force of the International Labour Organization (ILO)'s Convention No.182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (complemented by ILO Recommendation No.190) on 19 November 2000, and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography on 18 January 2002;
- the progress made in the preparations for the forthcoming Special Session of the General Assembly on Children, including its outcome document;
- the emergence of a broader partnership among and between local and national governments, intergovernmental organizations, non-governmental organizations, regional/sub-regional and international organizations, communities, and other key actors, and closer linkage between the United Nations and other monitoring mechanisms on the issue, especially the Committee on the Rights of the Child and the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography of the Commission on Human Rights under the United Nations Commission on Human Rights.

3. We take into account with appreciation the regional consultations held in Bangkok, Thailand; Rabat, Morocco; Dhaka, Bangladesh; Montevideo, Uruguay; Budapest, Hungary; and Philadelphia, United States of America (see Annex); and various national seminars leading up to the Yokohama Congress, and related activities, including those with young people's participation, and their conclusions and recommendations enriching the content of our follow-up action, and we encourage their effective implementation by governments that have participated in them in partnership with all stakeholders, including non-governmental organizations, intergovernmental organizations, and young people.

4. We recognise that much more needs to be done to protect children globally and express our concerns at the delays in the adoption of needed measures in various parts of the world.

II. Our Global Commitment:

5. We have come together to:

- reiterate the importance and the call for more effective implementation of the Convention on the Rights of the Child by State parties and related instruments, and underline our belief in the rights of children to be protected from commercial sexual exploitation in the form of child prostitution, child pornography and trafficking of children for sexual purposes;
- encourage early ratification of the relevant international instruments, in particular, ILO Convention No.182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography;
- reaffirm our commitment to build a culture of respect for all persons based upon the principle of non-discrimination and to eliminate commercial sexual exploitation of children, in particular by sharing the lessons learnt since the First World Congress, and by improving cooperation in this regard;
- recommit to the Declaration and Agenda for Action of the First World Congress ("The Stockholm Declaration and Agenda for Action"), and in particular to developing national agendas, strategies or plans of action, designated focal points and comprehensive gender-disaggregated data collection, and effective implementation of measures, including child-rights based laws and law enforcement;
- reinforce our efforts against commercial sexual exploitation of children, in particular by addressing root causes that put children at risk of exploitation, such as poverty, inequality, discrimination, persecution, violence, armed conflicts, HIV/AIDS, dysfunctioning families, the demand factor, criminality, and violations of the rights of the child, through comprehensive measures, including improved educational access for children, especially girls, anti-poverty programmes, social support measures, public awareness-raising, physical and psychological recovery and social reintegration of child victims, and action to criminalize the commercial sexual exploitation of children in all its forms and in accordance with the relevant international instruments, while not criminalizing or penalizing the child victims;
- emphasize that the way forward is to promote closer networking among key actors to combat the commercial sexual exploitation of children at the international, inter-regional, regional/sub-regional, bilateral, national and local levels, in particular, among communities and the judicial, immigration and police authorities, as well as through initiatives interlinking the young people themselves;

- ensure adequate resource allocation to counter commercial sexual exploitation of children, and to promote education and information to protect children from sexual exploitation, including educational and training programmes on the rights of the child addressed to children, parents, law enforcers, service providers and other key actors;
- reiterate that an essential way of sustaining global action is through regional/sub-regional and national agendas, strategies or plans of action that build on regional/sub-regional and national monitoring mechanisms and through strengthening and reviewing existing international mechanisms with a monitoring process, to improve their effectiveness as well as the follow-up of their recommendations, and to identify any reforms that may be required;
- take adequate measures to address negative aspects of new technologies, in particular, child pornography on the Internet, while recognizing the potential of new technologies for the protection of children from the commercial sexual exploitation, through dissemination and exchange of information and networking among partners;
- reaffirm the importance of the family and strengthen social protection of children, young people and families through awareness-raising campaigns and community-based surveillance/monitoring of commercial sexual exploitation of children;
- commit ourselves to promoting cooperation at all levels and to combining efforts to eliminate all forms of sexual exploitation and sexual abuse of children worldwide;
- declare that the sexual exploitation of children must not be tolerated and pledge to act accordingly.

Appendix: Explanatory Statements

The following documents were submitted to the Chair at the conclusion of the Second World Congress against Commercial Sexual Exploitation of Children.

- **European countries: Explanatory declaration on the global commitment of Yokohama**
- **The United States of America**
- **Republic of India**
- **Islamic Republic of Iran**
- **Arab and African States participating in the Conference**

European countries

Explanatory declaration on the global commitment of Yokohama

[Original: English and French]

The European countries, as well as all countries meeting together in Yokohama consider that the protection of the child is a major challenge of civilization based on the responsibility of adults concerning young generations and the values on which they will build the mankind of future.

Through this explanatory declaration and referring to the commitment and plan of action adopted on 21 November 2001 in Budapest and to the Recommandation 2001/16 of the Council of Europe concerning the protection of children against sexual exploitation, adopted on the 31 October 2001, the European countries reaffirm their attachment to the following principles :

1. The fight against sexual exploitation is extended to all forms of sexual violence and sexual abuse.

2. The protection of the child includes all boys and girls up to the age of 18 in all countries.

3. The noticeable commitment of some countries to the prosecution of those who sexually exploit children, the broadening of criminal offences to the various forms of sexual exploitation of children, including its international and transnational aspects, by establishing extra-territorial responsibility, and recognizing the relationship between organized crime and many forms of sexual exploitation of children.

4. The actions concerning the protection of the child need to be conducted in close cooperation with civil society.

5. The fight against poverty as well as the improvement of health and education of children must be a major priority.

The European countries request that the Heads and representatives of State and governments, who will meet next May on the occasion of the United Nations Special Session on Children, take into account the will to act and progress as expressed during the Second World Congress in Yokohama. They also encourages all countries to consider to ratify, sign, accede and fully implement the United Nations Convention on the rights of the Child and its second optional Protocol on the Rights of the Child on the sale of children, child prostitution and child pornography.

The United States of America

The United States is pleased to join the consensus on the Yokohoma outcome document for the Second World Congress on the Commercial Sexual Exploitation of Children. We would again like to thank particularly the government of Japan for hosting and co-sponsoring this extraordinary event.

This conference has provided an important opportunity to review the actions the world has taken since Stockholm and to recommit ourselves to national and international actions to eliminate the commercial sexual exploitation of children.

One important area that we would like to highlight concerns the increased protections provided to children under the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography and ILO Convention No.182 on the Worst Forms of Child Labor. The Sale of Children Protocol, unlike the Convention itself, requires that State parties criminalize all activities relating to prostitution and pornography with children under the age of 18, without reference to state law or the age of sexual consent. ILO 182 further requires that State parties "take effective and time-bound measures to ensure access to free basic education, and, wherever possible, appropriate vocational training, for all children removed from the worst forms of child labor," which includes child prostitution and child pornography.

The United States believes that the Optional Protocol and ILO 182 provide a clear starting point for international action concerning the elimination of commercial sexual exploitation of children. The United States was one of the first countries to ratify ILO Convention 182 in December of 1999. Moreover, the Bush Administration has turned its immediate attention to ratification of the Optional Protocol.

Republic of India

The Yokohama Global Commitment 2001

Written Statement by Republic of India

India endorses the Yokohama Global Commitment 2001, which presents a coherent and vibrant framework for action at national, regional and international levels to eradicate Commercial Sexual Exploitation of Children (CSEC). As suggested by the countries of the South Asia region, at Regional consultations in Dhaka (4-6 November, 2001), it is desirable to setup international and regional mechanisms to continually take stock of the progress in the fight against CSEC.

The crime of CSEC respects no national boundaries. It is imperative that States cooperate in bringing the offenders to justice. It is our understanding that the reference to extra-territorial criminal laws in the Stockholm Declaration [Para 3 (e)] and the Yokohama Global Commitment [Para2, BulletNo 4] is intended to ensure that the offender is tried in the country in whose jurisdiction the offence is committed; if he cannot be so tried by virtue of his being not present in that country and his being not extradited for facing trial, he is tried in the country of which he is a national or in the country of which he is a habitual resident or in the country where he is present. The cardinal principle is that the offender does not go Scot-free. We also note that this intention is reflected in the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

It is necessary to develop international principles, norms and procedures so as to avoid overlapping jurisdictions. It is also desirable to develop frameworks for enhanced regional and international mutual assistance for investigation and criminal proceedings regarding "Extra Territorial" CSEC offenders. To this end, we hope mechanisms would soon fall in place and further consultations are organized.

Islamic Republic of Iran

In the name of God, the Compassionate, the Merciful

The delegation of the Islamic Republic of Iran to the 2nd World Congress Against Commercial Sexual Exploitation of Children would like to state the following remarks as its position regarding the final document of the Congress entitled "The Yokohama Global Commitment 2001".

The Islamic Republic of Iran considers the above mentioned document as an important and valuable initiative designed to further contribute to combat the evil phenomenon of commercial sexual exploitation of children. The Yokohama document, while referring to the progress made since the first World Congress, provides for further and strengthened commitments on the part of all stakeholders in particular the governments and non-governmental organizations for the years ahead. Nevertheless, in view of the Islamic Republic of Iran, such a significant document needed to be negotiated in a more transparent and participatory manner as any document of international character and, universal value.

Moreover, the Islamic Republic of Iran rejects the concept of extraterritoriality, wherever appears in the above said document, as being too broad and inconsistent with international law. In this context, Iran believes that laws and policies of all countries, in combating the crime of commercial sexual exploitation of children, should be fully respected and should by no means be substituted by the application of extraterritorial laws and measures.

The Islamic Republic of Iran is also of view that, in order to reinforce the efforts against commercial sexual exploitation of children, all actions must be taken to criminalize such an evil phenomenon in all its forms and manifestations, and the status of child victims should be given due consideration.

The Iranian delegation requires the Secretariat of the 2nd World Congress to include the aforesaid remarks to the final report of Congress as the position of the Government of the Islamic Republic of Iran.

Arab and African States participating in the Conferences

To include in the appendix reference to the following documents

- **The African Common Position and the report of the Pan African Forum on the future of Children Cairo 28th 31st May 2001. It includes the report of the Organization of African Unity's conference on African children in situations of armed conflicts.**
- **The Arab Common Position document adopted by the Arab High level conference of the League of Arab States – Cairo 2-4 July 2001.**

This proposal is submitted on behalf of Arab and African States Participating in the Conferences.

ON their behalf the delegation of Egypt
Head of delegation
Ambassador Moushira Khattab

Similar proposals were submitted in handwriting by a number of delegations including Saudi Arabia
Qatar
Sudan

Annex

- **Regional Commitments and Action Plan of the East Asia and Pacific Region against Commercial Sexual Exploitation of Children, adopted at the East Asia and the Pacific Regional Consultation for the Second World Congress against Commercial Sexual Exploitation of Children held in Yokohama, 16-18 October 2001**
- **Declaration of the Arab-African Forum against Sexual Exploitation of Children, adopted at the Arab-African Forum against Sexual Exploitation of Children held in Rabat, 24-26 October 2001**
- **South Asia Strategy, adopted at the South Asia Consultation for the 2nd World Congress against Commercial Sexual Exploitation of Children, held in Dhaka, 4-6 November 2001**
- **Commitment to a Strategy against Commercial Sexual Exploitation and Other Forms of Sexual Violence against Children and Adolescents in the Latin American-Caribbean Region, adopted at the Interamerican Congress against Sexual Exploitation of Children, held in Montevideo, 7-9 November 2001**
- **Commitment and Plan of Action for Protection of Children from Sexual Exploitation in Europe and Central Asia, adopted at the Conference on Protection of Children against Sexual Exploitation, held in Budapest, 20-21 November 2001**
- **Suggestions from North American Regional Consultation on the Commercial Sexual Exploitation of Children, held in Philadelphia, 2-3 December 2001Declaration and Agenda for Action, adopted at the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm, 27-31 August 1996[*]**

[*] Not included in the present document.

Regional Commitment and Action Plan of the East Asia and Pacific Region against Commercial Sexual Exploitation of Children

Adopted 18 October 2001

I. Our Progress and Concerns:

1. We, the delegates of 25 governments, in cooperation with United Nations agencies and bodies; international organizations, non-governmental organizations (NGOs), representatives of young people, other entities and observers, met at the East Asia and Pacific Regional Consultation from 16 to 18 October 2001 in Bangkok, Thailand, in preparation for the Second World Congress against Commercial Sexual Exploitation of Children to be held in Yokohama, Japan, from 17 to 20 December 2001.

2. We took this opportunity to review the progression of our work five years after the First World Congress against Commercial Sexual Exploitation of Children convened in Stockholm in 1996 and to consolidate our partnership, together with members of civil society, including young people, against the commercial sexual exploitation of children (CSEC), including child prostitution, child pornography and child trafficking for sexual purposes.

3. We reaffirm the spirit of the Stockholm Declaration and Agenda for Action, adopted by the First World Congress. More specifically, we note the seriousness of the problem of the CSEC as a result of multiple factors, including greed and power abuse, on the one hand, and of the decline in values, on the other. Therefore, we emphasize that strong government commitment and support, in cooperation with civil society that are responsive to our cultural wisdom and ethical values, are imperative for viable and lasting solutions to the problem of CSEC.

4. We recognize the achievements, wisdom and efforts of children/young people in the fight against CSEC, and we will continue to support their meaningful participation.

5. We underscore the rights of the child and recognize the developments in the East Asia and Pacific countries since the First World Congress, bearing in mind the following positive aspects

- The undertaking, on the part of all countries of the region, to recognize and guarantee the rights of the child embodied in the Convention on the Rights of the Child in a comprehensive and holistic manner;

- The participation of countries of the region in a number of key regional/sub-regional commitments to protect the child from CSEC, notably in Resolution 53/4 of the Economic and Social Commission for Asia and the Pacific (ESCAP) on Elimination of Sexual Abuse and Sexual Exploitation of Children and Youth in Asia and the Pacific (1997); the Bangkok Accord and Plan of Action to Combat Trafficking in Women adopted by the Regional Conference on Trafficking in Women (1998); the Asian Regional Initiative against Trafficking (ARIAT) Regional Action Plan against Trafficking in Persons, especially Women and Children (2000); the Conclusions and Recommendations of the Asia-Pacific Seminar of Experts in Preparation for the World Conference against Racism: Migrants and Trafficking in Persons with Particular Reference to Women and Children (2000); Resolution 57/1 of ESCAP on a Regional Call for Action to Fight the Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome in Asia and the Pacific (2001); the Beijing Declaration on Commitments for Children in the East Asia and Pacific Region for 2001-2010 (2001) supported by the United Nations Childrens Fund (UNICEF); and the Declaration on the Commitments for Children in the Association of South-east Asian Nations (ASEAN) (2001);

- The contributive role played by countries of the region in developing international norms and new instruments for child protection, including the International Labour Organization (ILO) Convention No.182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1998); the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000); and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (2000);

- The adoption of a number of activities at the regional level to implement the Declaration and Agenda for Action of the First World Congress against Commercial Sexual Exploitation of Children (The Stockholm Declaration and Agenda for Action), in particular the ESCAP Human Resources Development Course for Medical and Psychosocial Services for Sexually Abused and Sexually Exploited Children and Youth,

and region-wide support from many governments and intergovernmental organizations, in cooperation with civil society, for programmes against CSEC;

- The broad participation of civil society, including international and national non-governmental organizations (NGOs), in action against CSEC;
- The higher priority-setting to address the issue of CSEC and its linkage with drug abuse and the spread of sexually transmitted diseases, in particular HIV/AIDS;
- The evolution of national plans of action against CSEC and more transparency concerning such situations in some countries;
- The greater involvement of the private sector in measures against CSEC;
- More mobilization of young people to promote and protect their rights against CSEC, as highlighted especially by the International Young Peoples Participation Project against the Commercial Sexual Exploitation of Children;
- More emphasis on law reform, law enforcement, policy implementation, as well as bilateral and multilateral legal cooperation in combating CSEC;
- More activities aimed at the prevention of CSEC to address the root causes, such as poverty, family disintegration, as well as gender and other forms of discrimination, negative traditional practices, and criminality; and
- More efforts to build the capacity of the relevant authorities and community watchdogs to protect children, in addition to child-sensitive facilities and effective recovery and reintegration measures.

6. We welcome the convening, in Yokohama, of the Second World Congress against Commercial Sexual Exploitation of Children, to be hosted by the Government of Japan, support the process to ensure more effective actions against CSEC, and invite the Second World Congress to take into account this Regional Commitment and Action Plan.

7. We acknowledge that much remains to be done to protect the rights of the child and to eliminate the demand that fosters CSEC, and we abhor the existence of CSEC and

emphasize our concern regarding this situation in the region and beyond." In this respect, we note that many countries in East Asia and the Pacific, especially Pacific island countries, do not yet have national plans of action against CSEC, as well as the related national focal points and data, even though these are called for in the Stockholm Declaration and Agenda for Action. There is also a lack of integrated data, information and related networks to provide inputs for policy formulation and programming against CSEC.

8. We recognize the need to identify new and more adequate measures for the prevention of CSEC, protection of children who are vulnerable to CSEC, recovery and reintegration of child victims, and young peoples participation against CSEC.

II. Our Regional Commitment:

I. We commit ourselves to taking action on the following:

- Ensure effective implementation of the Convention on the Rights of the Child and the Stockholm Declaration and Agenda for Action and undertake to provide sufficient resources for this purpose;
- Support the process leading to the Second World Congress;
- Encourage early ratification of the relevant international instruments for child protection, including ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime;
- Aim for integrated and comprehensive measures against CSEC;
- Improve laws and related procedures, policies, programmes and mechanisms, and train personnel against CSEC, while treating sexually exploited children as victims and not as criminals;

- Address the interrelationship between CSEC and child trafficking, and improve laws to combat the phenomenon, while ensuring that the child victims of trafficking are not classified or treated as illegal immigrants and that they are able to access support systems to protect their security and safe return home;
- Enhance cooperation and coordination against CSEC among governments, NGOs and others members of civil society, the private sector, the media, intergovernmental organizations, including regional organizations, and young people;
- Improve research and data gathering to inform policy and programmes to address CSEC;
- Improve the monitoring process at all levels concerning CSEC and ensure its sustainability; and
- Strengthen young peoples meaningful participation against CSEC and support their activities and networks on child protection.

III. Our Regional Action Plan:

1. We underscore that all services and programmes should be child-, gender- and culturally sensitive, and that child/young peoples participation, including CSEC survivors and those vulnerable to CSEC, should be mainstreamed into all activities concerning children/young people.

2. We undertake to act on the following, to the maximum extent possible:

A. Child/Young Peoples Participation:

- Identify or establish, by 2004, child/young peoples committees, which are independent advisory and consultative bodies to the government on legislation and issues pertaining to children/young people;
- Build the capacity of children/young people and adults to ensure that children/young peoples participate meaningfully in the planning,

implementation, and evaluation of relevant government policies and programmes;

- Ensure the participation of children/young people in research on CSEC, and conduct research on their views on the actions against CSEC; and
- Allocate resources, to the maximum extent possible, to support child/young peoples participation initiatives on prevention, protection, cooperation and recovery/reintegration at local, provincial, national, regional and international levels.

8. Coordination and Cooperation:

- Urge countries, especially Pacific Island countries, that did not attend the First World Congress, to adopt, by 2004, the Stockholm Declaration and Agenda for Action;
- Adopt, by 2004, national plans/agendas of action, incorporating long-term strategies, and develop indicators, in accordance with the Stockholm Declaration and Agenda for Action, and identify, or if necessary designate, a national focal point in each country, with effective implementation measures and data bases;
- Establish and implement, by 2004, Memorandum(s) of Understanding or agreement(s) to combat cross-border trafficking of children with comprehensive measures;
- Organize national and regional monitoring meetings, involving all relevant stakeholders, to review and evaluate progress in 2003;
- Consider the identification of a regional focal point to encourage adoption of the Stockholm Declaration and Agenda for Action and related implementation;
- Develop and encourage partnerships and networks among governments, law enforcement authorities, including INTERPOL and ASEANAPOL, NGOs, children/young people, community leaders, aid agencies, and the private sector;

- Establish channels for inter-country and inter-regional sharing of information to combat CSEC;

- Endeavour to link government monitoring of the implementation of the Stockholm Declaration and Agenda for Action with other related monitoring efforts, such as reporting mechanism on CRC and other regional commitments;

- Request ESCAP and UNICEF to monitor the implementation of the Agenda for Action, with assistance from ECPAT Internationals existing services of data collection and analysis;

- Assess the effectiveness of national action plans in order to share experiences on drafting and implementation and to facilitate follow-up actions;

- Encourage sub-regional and regional agencies and organizations, such as ESCAP, ASEAN and the Pacific Islands Forum Secretariat, to concretize measures against CSEC, including effective implementation of various existing resolutions and declarations on children/young people; and

- Call upon donors to support child participation, prevention of CSEC, and the recovery and reintegration of child victims through their long-term commitment.

C. Prevention:

- Implement/strengthen programmes that address poverty, family and community disintegration, gender discrimination, discrimination against indigenous and minority communities, and recover and reinforce positive cultural wisdom and practices which protect and promote the rights and dignity of women and children, as well as reduce practices and attitudes which negatively impact women and children;

- Promote better access to education for all children, more education on the rights of the child, and awareness-raising against CSEC and its linkage with drug abuse, STDs, including HIV/AIDS, reproductive health and sexuality, aiming at a process to promote the childs personal growth and self esteem, aimed at harm avoidance;

- Promote a humane socialization process and related actions to foster positive attitudes and behaviour to prevent CSEC and to counter demand for CSEC;

- Integrate the issue of CSEC into both formal and non-formal/informal education;

- Reaffirm the importance of the family and strengthen social protection for children/young people and families more concretely through sustained information campaigns and community-based surveillance/monitoring of CSEC, with particular attention to protection from exploitation;

- Undertake media and public awareness-raising campaigns to change attitudes that support CSEC and to eliminate the stigma against survivors of CSEC;

- Support media personnel in maintaining media ethics and practices consistent with the rights of the child, including respect for the childs/young persons privacy, and as partners for childrens/young persons protection;

- Provide technical and financial support to community leaders and both formal and informal networks, including religious leaders, media, ethnic associations and community workers, to counter CSEC;

- Consolidate local, national, sub-regional and regional actions to prevent and counter CSEC, and monitor their impact on children/young people and their families, with effective follow-up;

- Recognize that child-sensitive laws are an essential part of action to prevent CSEC and support their development and implementation; and

- Develop and publicize relevant laws that prevent the exploitation of children/young people through information technologies and other channels of communication, including the use of videotapes and the Internet for child pornography.

D. Protection:

- Encourage region-wide adoption/ratification of international treaties and other instruments concerning child protection and ensure their implementation and monitoring;
- Enact/improve laws, policies and programmes promoting and protecting child rights and ensure effective implementation and enforcement of relevant laws, especially criminal and civil laws;
- Ensure that, under national immigration laws, child victims of trafficking are treated humanely, and ensure effective coordination among all relevant agencies;
- Encourage cross-border/transnational cooperation and sharing of information among law enforcement authorities against CSEC;
- Develop and implement child-sensitive judicial systems and programmes to protect child victims and child witnesses;
- Adopt innovative responses to counter the negative aspects of technology, such as the transfer of child pornography via the Internet;
- Strengthen the capacity to combat CSEC of law enforcers, members of civil society, especially children/young people, NGOs, teachers, media, community groups and volunteers, and the private sector, through increasing awareness and training concerning child protection, international instruments, national laws and policies;
- Provide a supportive infrastructure for law enforcers and members of civil society to report and to counter commercial sexual exploitation of children;
- Reinforce existing structures and mechanisms for child protection and explore the possibility of using, for this purpose, Ombudspersons, local task forces and special police units, as well as child support systems;

- Encourage and support more child/young peoples participation in combating CSEC, including their involvement in local task forces and/or the establishment of their own task force to pro-actively protect children; and
- Develop and support a research agenda on CSEC and encourage the inter-country sharing of information.

E. Recovery and Reintegration:

- Ensure that all programmes respect and respond to the diversity of children/young peoples situations and backgrounds and the unique position of each child/young person, and include them as active partners in their own recovery and reintegration;
- Provide/strengthen wide-ranging and effective services for the child victims of commercial sexual exploitation, which are gender-, child- and culture-sensitive, including peer counselling, hotlines/helplines in local languages, shelters, medical treatment, and psychosocial counselling;
- Develop, in partnership with universities and service providers, monitoring and evaluation mechanisms, including impact indicators, as part of the design of recovery programmes;
- Recognize that reintegration is a long-term process, requiring psychosocial support, job training and placement, destigmatization, and programme monitoring and follow-up;
- Ensure that reintegration involves a variety of stakeholders, particularly the child/young person, family, community, NGOs, and religious organizations, and that the political will of governments is responsive to this issue;

➢ Train health and social service providers, religious and community workers, and indigenous healers in the provision of child-friendly services, including medical and psychosocial services, care for care-providers, HIV/AIDS and substance abuse programmes, and life skills development;

- Provide community-level training programmes concerning the rights and interests of the child on areas such as the Convention on the Rights of the Child and other international rights-related instruments, parenting, communication, peer counselling, and training of trainers, directed at teachers, parents, children/young people, and community leaders;
- Recognize social work as a key profession and strengthen professional and para-professional training programmes, including skills in assessment, counselling, case management, and impact evaluation of programmes;
- Call upon donors to recognize that recovery and reintegration are long-term processes, and to commit their support accordingly in partnership with key stakeholders;
- Recognize universities and other educational institutions as key partners in the recovery and reintegration processes, including training and research.

DECLARATION OF THE ARAB-AFRICAN FORUM AGAINST SEXUAL EXPLOITATION OF CHILDREN

RABAT, 24-26 OCTOBER 2001

The Arab-African Forum Against Sexual Exploitation of Children was held in Rabat from 24 to 26 October 2001 under the distinguished patronage of Her Royal Highness Princess Lalla Meryem. The meeting was convened to prepare for the region's participation in the Second World Congress Against Commercial Sexual Exploitation of Children, to be held in Yokohama, Japan from 17 to 20 December. The main objectives of the Rabat meeting are as follows:

- **Reiterate the political commitment the countries made at the Stockholm Congress;**
- **Take stock of the five years following the Stockholm World Congress held in 1996 ;**
- **Identify good practices in the area of preventing and combating the sexual exploitation of children;**
- **Formulate intervention strategies, taking into account the specificities of Arab and African countries, so as to effectively combat the scourge of sexual exploitation of children;**
- **Contribute to the implementation of the recommendations made at Stockholm, paying particular attention to the specific situation and priorities of Arab and African countries.**

Five years on from the Stockholm Congress, the following challenges are still facing the countries of the region:

- **The subject of sexual exploitation remains a taboo in many countries;**
- **There is still a lack of situation analysis and qualitative and quantitative data collection mechanisms at both local and regional levels;**
- **There continues to be an absence of multi-sectoral and multi-disciplinary approaches and coordination mechanisms for the prevention and combating of sexual exploitation of children;**
- **Human resource training is still lacking in the required disciplines, especially in the areas of justice, policing, tourism industry, transport, social work, health care and education;**
- **There is a paucity of programs for the rehabilitation and reintegration of child victims of sexual exploitation.**
- **The root causes of this calamity are poverty, illiteracy and inadequate educational systems, gender discrimination, cultural practices prejudiced against women and children.**

- A large number of Arab and African countries are victims of armed conflicts, war, military occupation and blockades, child kidnapping and hostage taking, leading to situations of violence that increase vulnerabilities that facilitate the sexual exploitation of children.

- The sexual exploitation of children is one of the vectors of the spread of HIV/AIDS and sexually transmitted infections, as well as other physical and psychological pathologies.

- Exacerbating the already serious situation of the sexual exploitation of children are the negative effects of globalization and the misuse of new information technologies.

We, participants at the Forum, declare the following:

- The Convention on the Rights of the Child is the main instrument for protecting and promoting the rights of the child;

- Our meeting took place in the context of the Global Movement for Children and preparations for the Special Session of the UN General Assembly on Children, and continues the momentum generated by other regional initiatives, including: The Arab Civil Society Forum (Rabat, 15-19 February 2001); The African First Ladies Summit (Marrakech, 20-22 April 2001); the Arab-African Conference of Finance Ministers on Children (Marrakech 21-23 May 2001); the Pan-African Forum on Children (Cairo, 28-31 May 2001); the High Level Arab Conference on the Rights of the Child (Cairo, 2-4 July 2001); the 36th Inter-Parliamentary Session (Ouagadougou, 9-13 September 2001). These meetings have allowed for a gathering of various stakeholders (Governmental, NGO, Private Sector, International and Parliamentary Organizations) for the purpose of reflecting on the protection of the rights of children and the respect of their dignity.

- The meeting is also part of the framework aiming to implement the Convention on the Rights of the Child, and its optional protocols on the sale of children, child prostitution and pornography and the involvement of children in armed conflict. It also falls within the scope of ILO Convention 182 on the elimination of the worst forms of child labour and to the Convention on Organized Transnational Crime and its protocol to prevent, abolish and punish the trafficking of human beings, in particular women and children.

Considering the major advances made over the last few years, including:

- The commitment of political leadership at the highest levels in many countries in our region;
- The existence of outlines for national action plans in some countries;
- The adherence of the Governments of the regions to the commitments made in Stockholm and their determination to be more involved in the Yokohama process;

- The growing involvement of national and international NGOs such as ECPAT International, the NGO Group for the Convention on the Rights of the Child, and other relevant NGOs;
- The mobilization of children and youths in the promotion and defence of child rights;
- The progressive process of harmonizing national legislations with the Convention on the Rights of the Child, with a view to decriminalizing and protecting the victims and criminalizing the act of sexual exploitation and its perpetrators;
- The recognition by all participants of the existence of this scourge which requires the commitment of everyone to work towards its elimination.

We recommend that our Governments should:

- Ratify and implement (a) the Convention on the Rights of the Child and the two optional protocols, related to the sale of children, child prostitution and child pornography and the involvement of children in armed conflicts, (b) ILO Convention 182 on the worst forms of child labor and Recommendation 190 on immediate action towards the elimination of the worst forms of child labour;
- Harmonize national legislation with the provisions of the Convention on the Rights of the Child and ensure its enforcement and monitoring;
- Adapt legal provisions intended to protect children from sex tourism;
- Devise national programmes and projects for preventing, building capacity (multi disciplinary approach to training), and detecting and dealing with all forms of physical and sexual abuse of children;
- Encourage and support the establishment of national and regional observatories to combat the sexual exploitation of children;
- Follow-up on actions already underway, namely:
  - Situation analysis, studies and surveys on the issue of the sexual exploitation of children; and
  - Raising awareness of national decision-makers at all levels on the problem of the sexual exploitation of children.
- Raise awareness and education of adults and children on child rights and on the Convention on the Elimination of All Forms of Discrimination Against Women, in particular the girl child, as well as on the problem of children with special needs, with a view to changing attitudes and behavior, thereby preventing the occurrence of sexual exploitation of children;
- Develop strategies and mechanisms for encouraging the participation of juveniles in order to better protect and defend themselves, notably through sex education;

- Involve travel agencies and Ministries of Tourism of the various countries in programs to combat the sexual exploitation of children;
- Ensure and strengthen security services, especially at borders;
- Promote peace education so as to prevent armed conflicts, which help the proliferation of the practice of sexual exploitation;
- Promote the strategy of establishing "child and girl-friendly schools";
- Introduce mechanisms for the collection, recording and processing of quantitative and qualitative data at the level of the concerned departments such as the judiciary and para-judiciary, health, education, and social services;
- Strengthen inter-ministerial coordination within the framework of an adequate response to the complex character of the problem of sexual exploitation of children;
- Strengthen partnerships with the United Nations system, international institutions and organizations, NGOs (national and international), parliamentarians and the private sector;
- Allocate human and financial resources to national programs for combating the sexual exploitation of children.

We recommend that Governments, NGOs, associations and the private sector of the countries of the region should:

- Encourage and support the creation of national and regional networks for combating the sexual exploitation of children;
- Promote the participation of children with the purpose of strengthening understanding of the phenomenon and providing solutions.
- Support studies, surveys and research on the sexual exploitation of children and disseminate them at the national and regional levels;
- Organize information, education and communication campaigns against the sexual exploitation of children in cooperation with families, youth, local government authorities, opinion leaders, families and communities;
- Introduce systematically the "sexual exploitation" component in situation analyses on children and women, as well as in all other thematic studies.
- Create legislative provisions that compel citizens to inform judicial and police authorities on cases of sexual abuse to children.

We recommend that international bodies should:

- **Support actions for advocacy, awareness raising and dissemination of information with the purpose of encouraging countries to ratify and implement international instruments, notably the Convention on the Rights of the Child (CRC) and its two additional protocols as well as its other relevant instruments;**
- **Provide technical assistance and support for the formulation of specific projects and national action plans for combating the sexual exploitation of children;**
- **Set up and insure the function of a national coordination system for combating sexual exploitation, where such a system does not exist;**
- **Establish structures for family and social rehabilitation and reintegration of victims, through providing free qualitative social and psychological care for them**
- **Include systematically the child protection dimension in the United Nations Aid for Development (UNAD) programme, paying particular attention to the sexual exploitation of children;**
- **Include the question of sexual exploitation of children in the programmes of the United Nations Development Programme (UNDP);**
- **Integrate the results of this Forum in follow-up mechanisms for declarations and plans made by Arab and African regional organisations;**
- **Establish appropriate systems for quantitative and qualitative data collection and follow-up mechanisms on the basis of precise indicators.**

We, the Participants, respectfully request the Government of the Kingdom of Morocco to ensure wide distribution of this declaration and submit the outcome of this Forum to the Second World Congress against Commercial Sexual Exploitation of Children.

Rabat, Morocco
October 26, 2001

South Asia Consultation for the 2nd World Congress Against Commercial Sexual Exploitation of Children Dhaka, 4-6 November 2001

SOUTH ASIA STRATEGY

The Dhaka Consultation was held with the purpose of developing a Regional Strategy to be presented at the Second World Congress against Commercial Sexual Exploitation of Children to be held in Yokohama, Japan, 17-20 December, 2001. Over 140 participants representing the Governments of Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka, including 25 children and young adults, and representatives of international agencies and international and national non-governmental organisations participated in the Consultation. This Strategy is an expression, of those gathered, of their commitment, and a call for action in South Asia to combat commercial sexual exploitation of children (CSEC) and child sexual abuse (CSA).

WE, the participants, having assessed the situation, note that:

- In South Asia, CSEC in the form of child prostitution, trafficking in girls and boys for sexual purposes, sex tourism, and child pornography are some of the prevalent forms of child abuse. Various forms of child sexual abuse (CSA), which are of a non-commercial nature, also exist. Deep rooted secrecy and denial and a pervasive silence make issues of sexual exploitation extremely complex. Data on the magnitude and extent of these abuses is inadequate but available figures suggest that the problem is widespread.

- Most children who are sexually abused are boys and girls between 13 and 18 years and the average age seems to be falling. Boys and girls of the underprivileged and marginalised, religious and ethnic minorities or caste groups, those with disabilities, in institutional care, children in work places, migrant children, bonded child labourer are particularly vulnerable to sexual exploitation.

- Limited access to reproductive health services, life skills and education, also increase the vulnerability of adolescents, in particular.

- With increasing rates of HIV infection in the region, sexual abuse of children places them at increased risk of sexually transmitted infections such as HIV/AIDS.

- CSEC and CSA have serious physical and mental health and social consequences on the child victims, which affects them in the short, medium and long-term.

- Child sexual abuse may come from within or outside the family. Often the abuse is perpetrated by someone familiar to and trusted by the child. Abusers are usually men, but are sometimes boys and can also be women. CSEC has many other actors outside the home involved but there can also be complicity or active promotion from the family, such as through selling children for prostitution.

- Poverty, globalisation, social and gender discrimination, and weak legislative and judicial implementation are among the important factors for CSEC in South Asia. Low rates of birth registrations resulting in a loss of an official identity constrain actions against commercial sexual exploitation.

- Children have rights to participate in their own protection. There are, however, limited or no forums for listening to children and giving them opportunities to express their views and opinions on decisions and actions that affect them.

We the participants, recognising the situation, note that:

- While poverty is an underlying cause for CSEC in South Asia, which interacts with the making of profit from the circumstances of the poor, it cannot be an excuse for it, and actions can be taken to combat CSEC even in such situations.

- Reinforcement of positive cultural, religious and moral values and practices is needed, which protect and promote the rights and the dignity of both girls and

boys, including building partnerships with men and boys to confront the root causes of gender inequality, violence and abuse.

- While child sexual abuse is not a theme for the 2nd World Congress, in South Asia it is crucial to address it because of its magnitude, the serious violation of childrens rights, and implication for CSEC.

- Trafficking in girls and boys for commercial sexual exploitation is a widely recognised abuse in South Asia. While ensuring that the right to migration is not hindered, efforts are being promoted to combat it, such as through the SAARC Convention on Trafficking. These mechanisms need regular review and revision to ensure that they are meeting the challenge.

- Girls and boys in street-based prostitution and girls and boys living in brothels who are either victims of commercial sexual exploitation or children of sex workers carry all the rights of children. They require specific rights based and child friendly actions to counter the specific stigmatisation faced by them.

- Child pornography is both a crime in itself and a picture providing evidence of further crimes against children. Actions to combat it require a uniform and universal definition, reflected in legislation, establishment of specialised cyber watchdogs, training in surveillance process, and access to information on users of internet for investigative purposes.

- Profile of sexual abusers reflects a number of factors such as attitudes towards sexuality, gender, power, masculinity, and misconceptions about sexual health. Sex abusers are also found to operate with impunity in situations of complex emergencies such as war, internal conflict, natural and man-made disasters, rapid change and social displacement, through the internet, and in situations where men are working away from their home. Strong actions need to be taken against the sex perpetrators while taking actions to support children who are exploited.

- **Legal reform and law enforcement is essential for combating the demand for CSEC and CSA, which often involve many perpetrators. While laws exist, many violators are able to avoid them and escape punishment. The gender and child insensitive legal procedures, which are often lengthy and costly, impede timely and effective actions.**

We, the participants, state the following understanding and commitments:

- **We firmly agree that all actions should be guided by the CRC principles of non-discrimination, the best interests of the child, the child's right to survival and development, and respect for the views of the child.**
- **We reaffirm our commitment to the Stockholm Agenda for Action adopted at the First World Congress against Commercial Sexual Exploitation of Children in 1996. We acknowledge that while several positive steps have been taken in the region since Stockholm to address the issue, the gravity of the problem of CSEC in South Asia suggests that much remains to be done to fulfil the Stockholm commitments.**
- **We recognise that commercial sexual exploitation of children and child sexual abuse goes against those positive societal values, which uphold and promote the rights and dignity of children. CSEC and CSA is a threat to these values and requires urgent action. We resolve to uphold and build on the rich cultural diversity and values that exist in our countries.**
- **We commit ourselves to applying zero tolerance against commercial sexual exploitation of children and CSA through concerted efforts at all levels - locally, nationally and regionally.**

We, the participants, agree on the following set of strategies, which we endorse and commit to support in their implementation:

Protection Measures

- National Plans of Action (NPAs).

Over the next two years, all the countries of South Asia should have developed NPAs, where these are not already in place, and implement them. These plans should, through a consultative process, involving governments and civil society at all levels, including children as active participants, present clear timeframes for actions and define effective monitoring mechanisms. They should be revised on a timely basis in light of lessons learned in implementation.

Enacting Laws and Ensuring their Implementation.

Appropriate and adequate laws and their effective implementation in combating CSEC and CSA are fundamentally important. Specific actions should be undertaken with respect to:

- Recognising that all girls and boys under 18 should be treated as children, with special rights as enshrined in the Convention on the Rights of the Child (CRC). All South Asian countries have ratified the CRC and should ensure that the age of protection against CSEC and CSA should be applied as defined in the CRC.

- Development of an effective and adequate legal framework, in line with relevant international instruments such as CRC, CEDAW and the United Nations Convention Against Transnational Organised Crime and its protocols on smuggling of migrants and trafficking in women and children, including revising and strengthening the existing legal framework and enforcement measures in South Asia to protect children, both girls and boys, in a comprehensive manner so that it yields results, specially by:

- Ensuring that legal procedures are rights based and child friendly, kept separate from those for adults, gender-sensitive, and provide effective trauma counseling and care and protection in the best interests of the child;

- Ensuring that all births and marriages are registered;

- Working in collaboration with other governments towards the prosecution of foreign perpetrators in the country of the crime and in their country of origin;
- Providing appropriate child rights training of lawyers, judges, police and other law enforcement officials and develop appropriate guidelines and tools;
- Ensuring that the legal framework does not penalise child victims as criminals and treats them humanely;
- Ensuring the implementation of a monitoring and accountable process both at the national and international level; and
- Simplifying the legal processes and procedures.
- Urging countries of the region to sign and ratify the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, and those countries which are members of ILO to sign the ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

Preventive Measures:

To avoid the harmful effects of CSEC and CSA, short, medium and long-term prevention strategies are essential, including:

- Maximising opportunities for early child development and free and compulsory quality primary education, and second chance learning as a means of improving childrens status, especially girls, reducing gender discrimination, and empowering them.
- Support gender-sensitive mass media campaigns to raise awareness about childrens rights, in general, and CSEC and CSA in particular. Consideration should be given to develop a code of conduct for public portrayal of children in the media.

- Build economic safety nets and invest in community-based initiatives to strengthen economic security of poor and marginalised families to offer viable alternative sources of sustainable livelihoods, especially for women headed households through self-help groups ensuring empowerment and self-reliance.
- Policy advocacy for local governance structures to mainstream child protection measures for it to become the responsibility of and a core part of decentralised governance mechanisms. Support should be provided for the establishment and functioning of community-based child protection committees.

Recovery and Reintegration

Support the victims of CSEC and CSA by actions, such as:

- Recognising that every child, regardless of origin, within our borders enjoys rights under the CRC. Through a process of bilateral, regional, sub-regional and multilateral consultation and co-ordination those children who have come from other countries should be assisted for recovery and reintegration to their place of origin. This effort should be supported through adopting simple procedures, a humane approach, minimum of bureaucracy and more direct channels of communication between the concerned governments and I/NGOs.
- Create and strengthen community support services and the provision of appropriate and quality family counselling, the provision of equitable and non-discriminatory health services for children who are victims of trafficking whose legal status is dubious, addressing physical and mental health, create safe spaces, build social accountability and provide long- term support for girl and boy victims.

Collaboration, Co-ordination and Capacity Building

Work towards greater collaboration and co-ordination by:

- Following-up on the Stockholm Agenda for Action and Yokohama Commitments and supporting countries who did not attend the First World Congress to adopt these recommendations.

- Establishing regional and national focal points to support follow-up processes after the Second World Congress and implement mechanisms for monitoring and accountability.

- Institutionalising a process for regional actions through annual consultations involving governments, I/NGOs, international agencies, judicial system, and childrens organisations for examining progress made towards the commitments, sharing good practices and establishing mechanisms to address bilateral and multilateral issues, especially the SAARC Convention on Trafficking.

- Establishing national and regional databases, building knowledge centres on sexual exploitation and abuse and develop qualitative and quantitative indicators. Support should be provided for the design of research methodologies and the implementation of studies and action research to enable in depth assessment and analysis for improved actions and influencing policies.

- Advocating for improved national birth registration mechanisms to ensure identity and legitimate status of girls and boys.

- Motivating the private sector in particular the computer industry and internet services and the tourism industry for active partnership in implementing protection measure and regulating them, if necessary.

- Building linkages between international and national agencies, including academic institutions, I/NGOs, and media (print, electronic and on-line) for effective partnerships and convergent actions.

- Building the capacity of government functionaries at all levels and other partners for effective implementation of National Plans of Actions.

Beyond commitments and identifying strategies, achieving results in combating CSEC will require additional investment of resources financial, human and organisational. Given the urgency of the task and the imperative of not allowing a single child, girl or boy to suffer from CSEC, we agree to do our utmost to invest in children by mobilising the required resources to meet the challenge. Towards this goal, and in accordance with the Kathmandu Understanding of May 2001, we call upon governments to set targets and allocate specific additional resources, beyond those allocated to basic social services and other social welfare programmes, to combat CSEC and CSA. We also call upon our international development partners to help in mobilising resources required for effective actions through enhanced financial assistance.

COMMITMENT TO A STRATEGY AGAINST COMMERCIAL SEXUAL EXPLOITATION AND OTHER FORMS OF SEXUAL VIOLENCE AGAINST CHILDREN AND ADOLESCENTS IN THE LATIN AMERICA-CARIBBEAN REGION.

The Governments, with the support of International Organizations and international and national NGOs, represented at the Regional Governmental Congress on the Sexual Exploitation of Children and Adolescents held in Montevideo, Uruguay, 7-9 November 2001,

CONSIDERING

I. **that the international community has declared through different instruments and resolutions that the sexual exploitation of children and adolescents is a particularly serious violation of human rights, and that among such instruments the Convention on the Rights of the Child (CRC), signed and ratified by all participating countries, constitutes the most important action framework for the protection of child and adolescent rights as it recognises children and adolescents as full subjects under the law.**

II. **that the CRC establishes guidelines and principles for the development and orientation of social policies for integrated protection and the universalisation of policies in health, education and the strengthening of families to protect the integrated development of children and adolescents and to guarantee to all people their basic rights, and that these universal public policies are the best mechanism for the prevention and eradication of commercial and non-commercial sexual exploitation.**

III. **that the CRC should be considered alongside the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and the Inter-American Convention on the Prevention, Sanction and Eradication of Violence Against Women (Convention of Belem do Pará), which constitute the legal framework in the fight against gender violence, given that the sexual exploitation of children affects children and adolescents of both sexes, with a disproportionate incidence among young and adolescent girls as these are caught up in the unequal power relations between the genders.**

IV. **that commercial sexual exploitation and other forms of sexual violence are violations of the rights of children and adolescents and are threats to their dignity, freedom and development, for which reason it is a matter of urgency to promote and adopt a culture of zero tolerance towards these practices, so guaranteeing the protection and restitution of the rights of the victims.**

V. **that crimes against sexual integrity and freedom include sexual abuse, incest, rape and any other form of sexual conduct performed under incitement or coercion for the purpose of obtaining profit or pleasure from children and**

adolescents, and that commercial sexual exploitation concerns transactions remunerated in money or in kind and involves using a child in sexual activities in return for money or any other payment, as well as pornography, sex tourism and child-trafficking.

VI. that commercial and non-commercial sexual exploitation are distinct forms of sexual violence requiring specific methods of intervention.

VII. that in 1996, of the 122 Governments signatory to the Declaration and Agenda for Action of the 1st World Congress against Commercial Sexual Exploitation of Children in Stockholm, Sweden, 20 countries were from the Latin America-Caribbean Region.

VIII. that the Declaration of Stockholm included specific political commitments and a concrete Plan of Action which established the following priority areas to guide national action:

1. Coordination and cooperation (local, national, regional and international)
2. Prevention
3. Protection
4. Recovery and Reintegration into the Community
5. Participation from children and adolescents

IX. that in December 2001 the Second World Congress dealing with these issues, the 2nd World Congress against Sexual Exploitation of Children will be held in Yokohama, Japan, in which event the countries concerned are to present their progress in putting into action the Stockholm Plan of Action.

X. that the reports presented at the Regional Governmental Congress on the Sexual Exploitation of Children and Adolescents recognized the significant efforts of the countries concerned to combat the problem, but that only a few of the countries of Latin America and the Caribbean have developed National Action Plans and that, in several cases, such plans have not been satisfactorily carried out.

XI. that the design and execution of the National Action Plans are vital indicators in measuring the region's progress towards the goals of the Stockholm Plan of Action and that their development in each country is thus a matter of great importance.

XII. that a greater distribution of resources is necessary for the Action Plans to be appropriately formed and implemented.

XIII. that several countries have carried out studies into the sexual exploitation of children and adolescents and that there is a scarcity of databases to facilitate

the diffusion and systematization of the knowledge generated and the information gathered.

XIV. that most of the studies have not looked in depth in the motives of clients/sex offenders nor at ways of discouraging demand.

XV. that most countries in the Latin America and the Caribbean Countries (LACR) have revised their national legislation in accordance to CRC, but that it is necessary to continue adapting national legislation to international treaties on human rights, in particular penal codes and penal procedures, in order to protect children and adolescents from commercial and non-commercial sexual exploitation and to punish sex offenders effectively.

XVI. that improved and amplified regional and international cooperation between countries is essential to combat the problem effectively and that this will necessarily involve National Police Forces working on these issues.

XVII. that preventative action, especially regarding public information and awareness campaigns, in order to be effective should: a) consider the cultural and social contexts which shape the sexual identities of men and women; and b) publicise the severity of the problem as a violation of the rights of children and adolescents.

XVIII. that the empowerment of children and adolescents in guaranteeing their full participation as defenders of their own rights is essential for the prevention of and protection from child sexual exploitation, whilst it is still recognised that it is adults who are responsible for the prevention of violence.

XIX. that international cooperation in the form of financial and technical assistance, particularly from agencies and programmes within the UN, the Organization of American States and other organizations within the Inter-American system, as well as support from multilateral financial organizations and non-governmental organizations, has made a positive impact on the Governments' progress towards the fulfilment of their commitments.

XX. that the impact of sexually-transmitted diseases, especially HIV/AIDS, is both a consequence of and an associated factor behind commercial and non-commercial sexual exploitation and that the possibility definitely exists that in the decade to come the children and adolescents of Latin America and the Caribbean will find themselves in a high-risk situation.

THE ORGANIZATIONS REPRESENTED AT THE REGIONAL CONGRESS, IN ORDER TO DEFINE A STRATEGY TOWARDS THE GOALS OF THE STOCKHOLM ACTION PLAN, COMMIT THEMSELVES TO:

Coordination and cooperation:

1) **To reaffirm the importance of the National Plans in combating the commercial and non-commercial exploitation of children and adolescents. We emphasize the urgent need for the development and implementation of these, carried out in coordination with all sectors involved. The National Plans should be accompanied by a greater and permanent political will and by separate technical and economic resources to bring about an impact on combating the problem. National Plans of Action should therefore be developed in those countries that still have not developed them.**

2) **To promote a rights-oriented approach to the theme with a gender and generational focus, based on the CRC and any other international instruments that might guarantee the integrated protection of children and adolescents affected by commercial and non-commercial sexual exploitation and the defence of their human rights. Consequently, it is necessary to fulfil existing ratified international instruments as well as to ratify those that have not as yet been ratified[1].**

3) **To promote the strengthening and relevance of such laws and public policies as reflect or can be used in this area, in conjunction with social policies which integrate awareness, information and promotion in all aspects of the social and communal responsibilities of the population.**

4) **To identify and promote common systems of information with disaggregated databases allowing for analysis of accumulated information at regional level and evaluation and follow-up of the problem and of the political and social responses articulated against child sexual exploitation and the trafficking of children.**

5) **To solicit international cooperation and all possible support, especially from UN and OAS agencies and programmes, as well as from Multilateral Financial Organizations and international NGOs, in operationalizing the stipulated recommendations.**

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[1] Optional Protocol on the Sale and Prostitution of Children and Child Pornography of the Convention on the Rights of the Child, Convention on the Elimination of all Forms of Discrimination Against Women, Inter-American Convention to the Prevention, Punishment and Eradication of Violence against Women, Accord 182 of the OIT Inter-American Trade Organization on the Elimination of Worst Forms of Child Labour, the Protocol for the Prevention, Elimination and Punishment of Trafficking in People, especially Women and Children, to the U.N. Accord against International Organized Crime, the Statute of Rome for the Creation of the International Penal Tribunal and the Hague Accord concerning the Protection of the Child and Cooperation with regard to International Adoption.

6) To guarantee that in each country civil society organizations participate in the design, implementation and monitoring of the National Action Plans for the eradication of commercial exploitation of children and adolescents.

Prevention:

7) To develop, as a preventative measure, primary and secondary education policies with a gender perspective ensuring equal access and quality universal coverage for all children and adolescents, and to renew the regulations of education centres and teaching content so as to avoid academic exclusion or discouragement.

8) To promote actions to modify sociocultural patterns of male and female behaviour, including education programmes, so as to achieve the elimination of prejudice and habit and all other types of practice based on the superiority or inferiority of either gender or on stereotypical functions of men and women that legitimate or exacerbate violence against women and young or adolescent children, as established in [the Convention on the Elimination of all forms of Discrimination against Women and in the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women (Belem do Pará).

9) To continue current efforts to prevent intra-familial violence and violence against women and to comply with the Beijing Declaration and Platform for Action of the 4th World Conference on Women (Beijing 1995), and in particular the article on young girls.

10) To give central position in discussions and actions to the theme of clients and demand as root causes of the commercial sexual exploitation of children and adolescents, challenging the naturalization of such practices and the institutional role in hiding the problem.

11) To develop awareness and public information campaigns at national and international level on commercial and non-commercial sexual exploitation of minors with the aim of reducing as far as possible the invisible nature of the problem, bringing about changes in cultural patterns, and raising consciousness, public opinion and the involvement of different groups in combating this problem.

12) To guarantee universal access to health services and socio-familiar support in the terms envisaged by the Code on Childhood and other laws approved by these countries in accordance with the Convention on the Rights of the Child.

13) To sensitise the political authorities and to train professional men and women working directly in programmes and services related to childhood and adolescence in order to detect high-risk situations that might lead to any form of commercial or non-commercial sexual exploitation and so to intervene in an effective manner.

14) To sensitise children and adolescents on the risks of commercial and non-commercial sexual exploitation through education on reproductive health, sex education, education on STDs and drug abuse.

Protection:

15) To develop within the state public policies aimed at the integrated protection of children and adolescents conceived of as subject to rights and having their full development guaranteed as established in the Convention on the Rights of the Child. Protective measures should include: effective procedures and mechanisms for establishing social programmes aimed at providing whatever help necessary to children and adolescents affected by commercial and non-commercial sexual exploitation and to those who care for them[3].

16) To continue promoting necessary legal reforms in each country to combat commercial and non-commercial sexual exploitation as laid down by the Convention on the Rights of the Child and other international legal instruments.

17) To place an emphasis on the decriminalisation of child and adolescent victims; on the prosecution of the exploiters; on the establishment of the principle of extraterritoriality for such crimes; on the adoption of measures to permit the confiscation of any benefits derived from such illicit activities so as to ensure civil responsibility in favour of the victim and to strengthen means of prosecution in such crimes and the creation of mechanisms to guarantee their application and to prevent the cycle of impunity.

18) To continue with efforts to eradicate the production, distribution, exporting and commercialisation, transmission and advertising of child pornography and sex tourism, with the regulation and effective application of agreements on the blocking of child pornography on the internet being an essential factor.

19) To promote procedural reforms necessary for the establishment of "child- and adolescent-friendly legal procedures" that attend to the victims rapidly, effectively and in a manner respectful of their needs, according to their age and level of development, and that listen to the victims and restore their rights.

20) To promote universal registration of births, at no cost, as a measure of respect to the right of identity and citizenship and to agree mechanisms to prevent the illegal adoption of children and adolescents

21) To promote interregional cooperation between governments and legal authorities to ensure the effective investigation into crimes and the indictment and punishment of the exploiters.

[3] Article 19 of the Convention on the Rights of the Child.

22) To create operational systems and interrelations with INTERPOL within the region, to combat the trafficking of children and adolescents as well as to adopt specific rescue programmes for the victims with whatever aid is necessary.

Recovery and Reintegration into Society:

23) To privilege and guarantee the rights to family and community life within those actions aimed at children and adolescents affected by commercial and non-commercial sexual exploitation, always bearing in mind the greater interests of the child.

24) To develop recovery and reintegration programmes for minors affected and guaranteeing the restoration of rights from a perspective of integrated care and not of re-victimisation.

25) To develop and implement coordinating inter-institutional protocols and models of intervention specifically for the case of victims of commercial sexual exploitation and other forms of sexual violence, drawing global implications from those positive experiences that have been developed in the region.

Participation of children and adolescents:

26) To recognise and reaffirm the participation of children and adolescents as a n inalienable right and a key element in the fight to eradicate commercial and non-commercial sexual exploitation and so call for the strengthening of children's and adolescents' organisations and of the appropriate forms of empowerment and participation which guarantee full citizenship.

Research and Indicators:

27) To design and formulate indicators that recognise and differentiate cases of commercial and non-commercial sexual exploitation as well as risk factors which help to keep children in this problem situation, and to develop suitable methods for analysing the characteristics of sexual exploitation and their indicators.

28) To create databases which take into consideration the different aspects of the problem and allow monitoring, follow-up and the carrying out of programmes aimed at tackling commercial and non-commercial sexual exploitation, and also to provide databases on offenders and networks within each country.

Monitoring the implementation of the commitments and Plans of Action

29) To constitute a Workgroup made up of governments, international and non-governmental organizations, charged with defining, promoting and coordinating the regional strategy and with disseminating those actions carried forward by the countries of Latin America and the Caribbean. As the main aim is to follow up the national policies and Plans of Action and the international commitments undertaken with regard to these matters, calling for an evaluation and follow-up meeting in 2004.

In Montevideo, 9th of November 2001.

Strasbourg, 28 November 2001

COMMITMENT AND PLAN OF ACTION

adopted by the participants from Europe and Central Asia at

the Conference

"PROTECTION OF CHILDREN AGAINST SEXUAL EXPLOITATION"

Budapest, 20 – 21 November 2001

Preparatory Conference of the Europe and Central Asia Region
for the 2nd World Congress on the Commercial Sexual Exploitation of Children
to be held in Yokohama from 17 to 20 December 2001

1. We, the representatives of 42 governments, IGOs, NGOs, academics, young people and other committed agents, have gathered in Budapest from 20 to 21 November 2001 in preparation for the Second World Congress against Commercial Sexual Exploitation of Children to be held in Yokohama from 17 to 20 December 2001.

2. We have used this opportunity to review and analyse progress made in the region in the field of protection of children against commercial sexual exploitation following the first World Congress, held in Stockholm in 1996, and to consolidate our partnership in the fight against all forms of sexual exploitation of children, which includes child prostitution, child pornography and the trafficking of children for purposes of sexual exploitation.

3 We re-affirm our commitment to the Declaration and Agenda for Action, adopted at the First World Congress, and we recognize governments' commitments and actions, the co-operation of civil society, and international support as imperative for effective protection of children from sexual exploitation.

4. We underscore the status of the Convention on the Rights of the Child and its guiding principles as the standards for all our actions to promote and protect the rights of the child. We recognize and acknowledge the importance of many new national and regional developments and initiatives taking place in Europe and in the Central Asia Region; noting in particular:

- the greater emphasis on the rights of the child and the increased recognition of the need for effective implementation of the United Nations Convention on the Rights of the Child;

- the contribution of the countries in the Region to the development of new international standards and instruments for improved protection of children, including the Council of Europe Recommendation (2001)16, on the protection of children against sexual exploitation, the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000), the ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999), the UN Convention against Trans-national Organized Crime (2000), the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000), the Protocol against the Smuggling of Migrants by Land, Air and Sea, (2000) and the Convention on Cyber-Crime, Council of Europe (opened for signature in Budapest on 23 November 2001); we also welcome the adoption by a Council of Europe Committee of experts of the draft Convention on Contact Concerning Children (2001);

- the important role of United Nations Agencies, the Council of Europe, the European Union and the Organization for Security and Cooperation in Europe in placing the fight against sexual exploitation of children high on their agendas, in motivating and supporting all member States in reviewing, updating and enacting relevant legislation and policy instruments and in involving the private sector, such as the Internet service providers and the tourism industry, in formulating and adopting legal instruments for the protection of children from sexual exploitation;

- the encouraging development of national institutions for the promotion and protection of the rights of the child, such as Ombudspersons for children and Children's Commissioners;

- the participation of many countries of the Region in articulating a number of commitments to protect children from sexual exploitation, notably in Recommendation (2000) 11 on Action against Trafficking in Human Beings for the purpose of sexual exploitation, (Council of Europe, May 2000), the two European Council Framework Decisions on combating trafficking in human beings and on combating sexual exploitation of children and child pornography (European Commission, December 2000), the Anti-Trafficking Declaration of South Eastern Europe, Stability Pact Task Force (Palermo, December 2000), the European follow-up Conference to the 1996 World Congress (Council of Europe, April 1998), the Berlin Commitment for Children of Europe and Central Asia (Berlin Conference on Children in Europe and Central Asia, May 2001), the Recommendations from the Vienna Conference of 1999 on Combating Child Pornography on the Internet, the Recommendations on Trafficking in Human Beings by the Office for Democratic Institutions and Human Rights, ODIHR, (Warsaw, September 2001) and the Resolution on the contribution of civil society in finding missing or sexually exploited children (Council of EU, 2001);

- the active involvement of many countries of the Region in developing specific regional and sub-regional strategies, in establishing or building on existing co-ordination mechanisms and in carrying out plans of action and programmes aimed at implementing the Declaration and the Agenda for Action Against Commercial Sexual Exploitation of the First World Congress;

- the emergence of new opportunities for direct participation of children and young people in the assessment of regional priorities and development of policies, such as the expression of young voices in the First Regional Opinion Survey supported by UNICEF in partnership with ODHIR in 2001 and the contributions of young people at the Berlin Conference on Children in Europe and Central Asia, May 2001;

- the development and implementation of national plans of action against sexual exploitation of children and greater recognition of the existence of such problems in the countries of Europe and Central Asia;

- the increasingly important role of civil society, including international and national non-governmental organisations in articulating and carrying out national and international initiatives against sexual exploitation of children and the enhancement of cross-sectoral collaboration;

- the noticeable commitment of some countries to the prosecution of those who sexually exploit children; the broadening of criminal offences to the various forms of sexual exploitation of children, including its international and trans-national aspects, by establishing extra-territorial responsibility, and recognising the relationship between organised crime and many forms of sexual exploitation of children;

- the increased efforts in adjusting legal instruments, judicial services and proceedings effectively to protect children against all form of sexual exploitation;

- the importance of establishing services for children to prevent and protect them against sexual exploitation and to ensure their recovery and re-integration;
- the growing development of measures, such as codes of conduct to protect children from sexual exploitation in the tourism industry, the media and through the Internet.

5. We welcome the convening of the 2nd World Congress and we support the preparatory process which provides for important steps towards effective protection of children from commercial sexual exploitation and we call on the Second World Congress to take into consideration the Europe and Central Asia Commitment and Plan of Action.

6. We acknowledge that, despite important achievements, the sexual exploitation of children is still occurring in every country of Europe and Central Asia, and is on the increase. Much needs still to be done to prevent children from being sexually exploited, to stop such exploitation and to ensure full rehabilitation, recovery and re-integration of child victims. In this context, we recognize that underlying factors such as poverty, economic disparities, social exclusion, drug addiction, armed conflict, family break-down, physical and mental disability, fear of AIDS, lack of meaningful education and employment opportunities, and discrimination based on gender, ethnicity, religion and citizenship status significantly contribute to the vulnerability of children and young people to sexual exploitation. Within this regional context, we note with great concern that many countries in Europe and Central Asia have not yet developed national plans of action, nor identified national contact points or set aside sufficient resources for the implementation of national plans, as called for in the Stockholm Agenda for Action.

To protect children in Europe and Central Asia from sexual exploitation and to ensure their rights to full and normal development, we commit ourselves to :

- **Accord high priority and sufficient resources at national and international level for the implementation of the Convention on the Rights of the Child, the Stockholm Declaration and Agenda for Action and the Council of Europe Recommendation (2001) 16 on the protection of children against sexual exploitation. This should include, by an agreed date in 2003, the development of national plans of action and the designation of a national focal point in each country with a clear mandate, accountability and resources. In particular, ensure the setting-up where appropriate and necessary, of national-level structures, tasked with coordinating all authorities and agencies competent in matters pertaining to protection of children from sexual exploitation to reinforce a multi-disciplinary and multi-sectoral approach;**

- **Adopt and promote the attitude of "zero-tolerance" for all forms of violence and exploitation of children, including through reinforced media and public awareness raising campaigns;**

- **Encourage early ratification and implementation of the relevant international instruments for child protection, including:**

  the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography,

  the ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour,

  the UN Convention against Trans-national Organized Crime,

  the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,

  the Protocol against the Smuggling of Migrants by Land, Air and Sea,

  the Convention on Cyber-Crime, Council of Europe,

  the Rome Statute of the International Criminal Court,

  the European Convention on the Exercise of Children's Rights, Council of Europe;

- **Criminalise all forms of sexual exploitation of children under 18, review accordingly laws, policies and programmes to eliminate sexual exploitation of children, and strengthen networks of cooperation between national and international law enforcement agencies;**

- **Promote the adoption of an international warrant, at regional level, for the arrest of traffickers of children;**

- **Urge each and every country to enhance or develop a comprehensive system of state funded child protection services, consistent with Article 19 of the CRC, where every**

family at risk receives some health and social support. Those families at risk should receive targeted services in addition to universal support;

- Request the European Commission, in the context of the accession process and the need both to support candidate countries and continue to underpin the work of Member States, to consider including in appropriate programmes such as the Daphne and STOP Programmes projects to enhance the ability of countries in the region to fulfil their commitments under the Stockholm Agenda for Action and international instruments relating to the protection of children from sexual exploitation;

- Improve laws and related procedures concerning cases of sexual exploitation of children, policies and programmes, as well as institutional and professional capacities of personnel responsible for protecting and assisting children who are victims, in order to ensure that judicial procedures do not inflict further abuse on child victims;

- Reinforce the collaboration between all States, all major European institutions as well as all sectors of civil society in the development of co-ordinated policies and strategies for the elimination of all forms of sexual exploitation of children and ensure that all existing and future coordination mechanisms include specific expertise, programmes and resources to address particular problems of child protection;

- Provide at all levels opportunities for children to be involved in the development of strategies and measures, as well as in the implementation of all actions against sexual exploitation of children, without transferring responsibility for combating sexual exploitation to children themselves;

- Encourage, support and take into account views and ideas of children and young people and therefore acknowledge that their representation and participation should be transformed into action;

- Encourage and improve monitoring of the situation in the region in order to ensure effective implementation of plans of action at national, sub-regional and regional levels in the field of protection of children against sexual exploitation. In this regard, we request the Council of Europe to carry out the task of monitoring with support of relevant intergovernmental and non-governmental organizations;

- Within the framework of the Council of Europe, provide follow-up and support for the practical application of Recommendation (2001) 16 on the Protection of Children against Sexual Exploitation and, more generally, the present Regional Commitment and Plan of Action. Within the same framework, and where possible in the framework of joint programmes with the European Commission, assistance should be granted to States to fulfil their commitments, in particular through information, documentation on experiences, comparative law studies and model legislation, good practice, training, and expertise as well as by identifying problems especially those related to resource needs, and organizing monitoring meetings and other activities. In addition, a prevention strategy at European level should be promoted;

- Implement this Commitment and Plan of Action for Europe and Central Asia and meet again in 2003 to review progress and outstanding challenges.